

Tennessee Accessibility Act Update

September 19, 2005

The 104th General Assembly passed a Bredeesen Administration update to the statute that controls Tennessee's local accessibility requirements. The regulations applied by the legislature are collectively known as the Tennessee Accessibility Act. As a result, the act split the burden of accessibility into two different departments 1) Tennessee Department of Finance, Real Property Division, Office of the State Architect/State Building Commission who were responsible for accessibility [everything] and 2) Tennessee Department of Commerce and Insurance, Division of Fire Prevention, Codes Enforcement Section for Accessible means of Egress [getting disabled folks out in an emergency]. The two codes available were antiquated and out of print and accessibility in general fell on the Real Property Division. The Codes Enforcement Section (State Fire Marshal's Office) was forced to review the codes it did not adopt. The SFMO concentrated in accessible means of egress and reviewed additional features of accessibility as submitted but only as a part of a plans review required by Tennessee Rule 0780-2-3.

As of July 1, 2006 the State Fire Marshal's Office will review plans required by Tennessee Rule 0780-2-3 to the updated standards and existing federal guidelines and will have the authority to update and maintain the adoption of codes and standards when it becomes necessary in the future by the rule making process just as the SFMO does with any other code or standard it is charged with enforcing. The revised statute will allow jurisdictions who have qualified under TCA 68-120-101 (b) (2) as exempt jurisdictions to use the same codes or standards that the SFMO applies or others if they meet particular requirements. Some see this as a bit confusing and to help facilitate a better understanding of the revision to the Tennessee Accessibility Act the SFMO has prepared some [Frequently Asked Questions](#) which are intended to help Tennessee Registrants better understand the update. In addition, the SFMO has prepared an article entitled [Major Changes In The Tennessee Accessibility Act](#) which also summarizes many key features of the update which can be read in .pdf format by clicking on the link. This is the complete article in its entirety. A truncated version of this article was published in the Spring/Summer edition of the Tennessee State Board of Architectural And Engineering Examiners' *Design Lines*.

The SFMO in cooperation with Vaughn and Melton with the assistance of the A&E Board together are currently working on developing a week long class specifically on the United States Department of Justice certified [pending] North Carolina Accessibility Code (NCAC) sometime prior to July 1 2006. The seminar will be held in the Nashville area and will feature an individual instrumental in NCAC's certification. Continuing education hours will likely be available. The specifics are not yet established.